IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR BENCH

S.B. CRIMINAL MISC. PETITION NO.1745/07

Mangal Ram **Versus** State

DATE OF ORDER :: 22/10/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Ms. Anupama Chaturvedi, for petitioner
Mr. Arun Sharma, Public Prosecutor for State

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Instant petition has been filed by complainant-petitioner assailing the order dated 13th October, 2004 whereby learned Judge accepted the Final Report submitted by Investigating Officer and the revision petition preferred by him was dismissed on 18th January, 2007.

Complainant-petitioner filed a private complaint wherein it was alleged that he is owner of 1/4 share in Khasra No.508 and 10/90th share in Khasra No.468. According to him, on 1st November, 2001 the accused came with lathi, farsi, jaili and assaulted him and further tried to plough his khatedari land. Complaint was sent to the Police for investigation u/s.156(3) Cr.P.C. During investigation, their statements u/s.161 Cr.P.C. were recorded and finally the Investigating Officer submitted negative Final Report. After investigation, learned trial Judge accepted the Final Report and it was observed that the land as alleged where the incident has taken place is in

joint khatedari of complainant and accused herein and there is no division of their property has so far taken place and during investigation it has also come on record that no injury of any nature was sustained by the complainant and no prima facie material came on record which may involve the accused with the alleged crime. Revisional Court has also examined the material available on record in detail and does not find any merit to interfere therein – consequently dismissed the revision petition.

This Court has gone through the order impugned and does not find any infirmity which may call for interference.

Consequently, the misc. petition fails and is hereby dismissed.

[AJAY RASTOGI],J.